

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TINA RICHARDSON,)
Plaintiff,)
v.)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)
Civ. No. 3:09-CV-441
(JORDAN/GUYTON)

ORDER OF REMAND UNDER SENTENCE FOUR
OF 42 U.S.C. § 405(g)

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the parties' motion to remand this action, this Court now, upon substantive review, hereby enters a judgment reversing the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner according to the following terms. *See Shalala v. Schaefer*, 509 U.S. 292, 296, 113 S. Ct. 2625, 2629 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 97-98, 111 S. Ct. 2157, 2163 (1991).

The parties agree that, on remand, the Administrative Law Judge will be directed to hold a new hearing and allow Plaintiff the opportunity to submit additional records. In addition, the ALJ will reevaluate the mental health records submitted after Plaintiff's alleged onset date and articulate reasons for crediting or discrediting the limitations indicated in such records.

The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.



Loretta S. Harber
United States District Judge

Proposed by:

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